

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT
DISTRICT OF MASS.

UNITED STATES OF AMERICA,
ex rel. VEN-A-CARE OF THE FLORIDA
KEYS, INC. by and through its principal
officers and directors, ZACHARY T.
BENTLEY and T. MARK JONES,

Plaintiff,

v.

DEY, INC.;
EM PHARMA, INC.;
EMD PHARMACEUTICALS, INC.;
LIPHA, S.A.;
MERCK-LIPHA, S.A.; and
MERCK KGaA,

Defendants.

Civil Action No. 05-11084-MEL
(Consolidated with certain claims
severed from No. 00-10698-MEL)

FILED *IN CAMERA* AND
UNDER SEAL

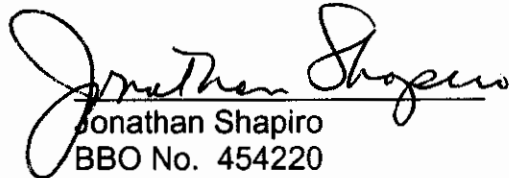
NOTICE OF FILING REDACTED COMPLAINT

COMES NOW the Relator, Ven-A-Care of the Florida Keys, Inc., and files the attached redacted Third Amended Complaint, Civil Action No. 00-10698, originally filed on or about February 5, 2005, redacting all claims against all parties other than DEFENDANT DEY, INC. and related entities. The Third Amended Complaint in Civil Action No. 00-10698 is being filed in the instant action under seal, in anticipation of the unsealing of the 05-11084 matter, because the claims against Dey, Inc. in the 00-10698 matter were consolidated with Civil Action No. 05-11084 per the Court's Order issued June 26, 2006.

Civil Action No. 05-11084-MEL

Respectfully submitted,

Attorneys for the Relator
VEN-A-CARE OF THE FLORIDA KEYS, INC.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of August, 2006, a true and correct copy of the foregoing along with attached redacted Third Amended Complaint was sent to the United States via email to Laurie Oberembt, Trial Attorney, Room 9226, Patrick Henry Building 601 "D" Street, N.W., Washington, DC 20044, Laurie.Oberembt@usdoj.gov and George B. Henderson, II, Assistant U.S. Attorney, United States Courthouse, 1 Courthouse Way - Suite 9200, Boston, MA 02210, George.Henderson2@usdoj.gov.



JONATHAN SHAPIRO